



05 JUL 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

#7

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O BOX 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Dilworth & Barrese, LLP
333 Earle Ovington Boulevard, Suite 702
Uniondale, New York 11553

In re Application of	:	DECISION ON RENEWED
Max SEGERLJUNG ET AL	:	
PCT No.: PCT/SE2003/001073	:	
Application No: 10/521,281	:	
Int. Filing Date: 23 June 2003	:	PETITION UNDER
Priority Date: 15 July 2002	:	
Attorney's Docket No.: 821-67	:	
For: A VEHICLE AND A METHOD FOR	:	
CONTROLLING STEERING THEREOF	:	37 CFR 1.47(a)

This is in response to the "RENEWED PETITION UNDER 37 C.F.R. §1.47(a)" filed on 30 May 2006.

BACKGROUND

In a decision from this Office on 27 January 2006, the initial petition under 37 CFR 1.47(a) was dismissed. The decision stated that it has not been sufficiently demonstrated that a copy of the application papers (specification, including claims, drawings) were presented to the nonsigning inventor as required by MPEP Section 409.03(d). Accordingly, the petition did not include sufficient factual proof that Ms. Johanna Dahlstrom, (executor of the estate of the deceased inventor, Kurt Dahlstrom) refused to sign the required papers.

On 30 May 2006, applicant submitted a "Renewed Petition Under 37 CFR 1.47(a)" requesting reconsideration of the Office's decision of 27 January 2006.

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17(h), (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by the 37 CFR 1.47(a) applicant on his or her own behalf and on behalf of the non-signing joint inventor.

The renewed petition of 30 May 2006 has satisfied the requirements under 37 CFR 1.47(a).

Jan Olsson's averments do sufficiently demonstrate that a *bona fide* attempt was made to present a copy of the application papers (specification, including claims, drawings, and oath or declaration) to the nonsigning executor (legal representative) for her signature as stipulated under MPEP 409.03(d). In this instance, the application papers were sent to Ms. Dahlstrom on September 23, 2005 and on March 06, 2006 another copy of the declaration and she has not responded. The conduct of Ms. Dahlstrom is interpreted as a refusal to sign the required papers. Consequently, the current record does sufficiently establish that Ms. Dahlstrom refusal to join in the application because petitioner has shown a *bona fide* attempt was made to deliver the complete application to her and that she refused to sign the required papers.

Petitioner has now filed a properly executed declaration complying with 37 CFR 1.497(a)(3).

Petitioner has now satisfied items (1), (2), (3), and (4) under 37 CFR 1.47(a), thus completing the requirements under 37 CFR 1.47(a).

CONCLUSION

The petition under 37 CFR 1.47(a) is **GRANTED**.

The Application Division and the International Division are authorized to accept the application as a 37 CFR 1.47(a) application and to mail a filing receipt. The application will be given a 35 U.S.C. 371(c) date of **30 May 2006**.

As provided in 37 CFR 1.47(a), a notice of the filing of this application will be forwarded to the non-signing inventor at his last known address of record.

A notice of the filing of the application under 37 CFR 1.47(a) will be published in the Official Gazette.

This application is being returned to the United States Designated/Elected Office (DO/EO/US) for continued processing under 35 U.S.C. 371.



Rafael Bacares
PCT Legal Examiner
PCT Legal Office
Telephone: (571) 272-3672
Facsimile: (571) 273-0459